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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 10/057,135      | 10/29/2001  | John Joseph Mazzitelli | 100110992-1         | 1932             |

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10/20/2005

HEWLETT-PACKARD COMPANY  
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EXAMINER

SERRAO, RANODHI N

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                         |  |
|------------------------------|------------------------|-------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>     |  |
|                              | 10/057,135             | MAZZITELLI, JOHN JOSEPH |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>         |  |
|                              | Ranodhi Serrao         | 2141                    |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-16, 18-26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-16, 18-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 29 August 2005 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed 29 August 2005 have been fully considered but they are not persuasive. The amended claims have been addressed in the body of the claims' rejections below.

### ***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-6, 8-16, 18-26, and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by LiVecchi (6,427,161).

5. As per claims 1, 12, and 22, LiVecchi teaches a multi-threaded server accept method, system, and application (column 10, lines 27-47); comprising: a server process residing on a server and an application software residing on a computer-readable

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medium operable to: creating a socket accept thread by a control thread of a server process (column 11, line 66-column 12, line 21); receiving a service request from a client by the socket accept thread (column 2, line 62-column 3, line 6); transferring the request to a data structure (column 12, lines 14-22); and retrieving the request, by the control thread, from the data structure (column 12, lines 36-43); and transferring the request to a client thread (column 11, lines 1-37: wherein worker threads serve the function of a client thread), dynamically created by the control thread (col. 17, lines 40-67), to process request data associated with the request (column 3, lines 16-31 and lines 51-67: wherein the dispatcher thread serves the function of a control thread in that it wakes up or creates a worker thread).

6. As per claims 2, 13, and 23, LiVecchi teaches the data structure comprises a queue (column 11, lines 1-37).

7. As per claims 3, 14, and 24, LiVecchi teaches the data structure comprises a FIFO queue (column 11, lines 1-37).

8. As per claim 4, LiVecchi teaches waiting for service requests by performing an accept () call (column 11, lines 1-37).

9. As per claim 5, LiVecchi teaches receiving the request comprises receiving a client socket object (column 6, lines 13-30).

10. As per claim 6, LiVecchi teaches waiting for the service request from the client by the socket accept thread (column 3, lines 51-67).

11. As per claim 8, LiVecchi teaches receiving a second request by the socket accept thread from the client (column 4, lines 10-21); transferring the second request to

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the data structure (column 11, lines 1-37); retrieving the second request by the control thread (column 15, lines 15-36); transferring the second request to a second client thread to process second request data; and processing the second request data by the second client thread (column 7, line 16-column 8, line 37).

12. As per claim 9, LiVecchi teaches creating the second client thread to process the second request data (column 11, lines 1-37).

13. As per claim 10, LiVecchi teaches socket accept thread and the control thread are executed on a single processor (column 1, lines 19-40).

14. As per claim 11, LiVecchi teaches the steps of transferring the request to the data structure and retrieving the request from the data structure are serially performed (column 12, lines 17-21: wherein pending connections on the queue is being performed serially).

15. As per claim 15, LiVecchi teaches the socket accept thread is operable to wait for service requests by performing an accept() call (column 11, lines 1-37).

16. As per claim 16, LiVecchi teaches the socket accept thread is operable to receive the request by receiving a client socket object from the client (column 6, lines 13-30).

17. As per claim 18, LiVecchi teaches the server process is further operable to: receive a second request from the client by socket accept thread after transferring the request to the data structure (column 4, lines 10-21); transfer the second request to the data structure (column 11, lines 1-37); retrieve the second request by the control thread (column 15, lines 13-36); transfer the second request to a second client thread to

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process the second request data; and process the second request data by the second client thread (column 7, line 16-column 8, line 37).

18. As per claim 19, LiVecchi teaches the server process is further operable to create the second client thread to process the second request data (column 11, lines 1-37).

19. As per claim 20, LiVecchi teaches the socket accept thread and the control thread are executed on a single processor (column 1, lines 19-40).

20. As per claim 21, LiVecchi teaches the server process is further operable to serially perform the steps of transferring the request to the data structure and retrieving the request from the data structure (column 12, lines 17-21: wherein pending connections on the queue is being performed serially).

21. As per claim 25, LiVecchi teaches the application software is further operable to wait for service requests by calling an accept() program (column 11, lines 1-37).

22. As per claim 26, LiVecchi teaches the application is further operable to receive the request by receiving a client socket object from the client (column 6, lines 13-30).

23. As per claim 28, LiVecchi teaches the application software is further operable to: receive a second request from the client by the socket accept thread after transferring the request to the data structure (column 4, lines 10-21); transfer the second request to the data structure (column 11, lines 1-37); retrieve the second request by the control thread (column 15, lines 13-36); transfer the second request to a second client thread to process second request data; and process the second request data by the second client thread (column 7, line 16-column 8, line 37).

24. As per claim 29, LiVecchi teaches the socket accept thread and the control thread are executed on a single processor (column 1, lines 19-40).

25. As per claim 30, LiVecchi teaches the application software is further operable to serially perform the steps of transferring the request to the data structure and retrieving the request from the data structure (column 12, lines 17-21: wherein pending connections on the queue is being performed serially).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER